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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,196	03/08/2001	Ashley Saulsbury	016747014710	6690

20350 7590 06/30/2004

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EXAMINER

TREAT, WILLIAM M

ART UNIT	PAPER NUMBER
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2183

DATE MAILED: 06/30/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

SC

Office Action Summary

Application No.

09/802,196

Applicant(s)

SAULSBURY

Examiner

William M. Treat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-23 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

1. Claims 1-23 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Burns et al. (Patent No. 6,035,390).
4. Burns taught the invention of exemplary claim 12 including an instruction processor (10) that operates upon a first source register having a first source operand and a second source register having a second operand comprising an operand compare instruction (subfze in Table I, col. 4, lines 50-65) which compares the first and second operands; decision logic (CCU 24) coupled to the operand compare function (FXU 22) which determines if the second operand is at least one of greater than zero and equal to zero and a flag setting function coupled to the decision logic (col. 4, line 35 through col. 5, line 16).
5. As to claim 13, Burns taught the processor stores a zero in the destination register (CR 44 at col. 3, lines 59-66). Note that since values for less than, greater than, and equal to zero flags are being generated and stored simultaneously, at least one of the flags in the condition register (CR) must be zero.
6. As to claim 14, Burns taught loading the operands from registers (col. 4, lines 12-16).
7. As to claim 15, Burns taught the flag setting function coupled to a destination register. (See paragraphs 4-6, *supra*.).

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8. Claims 1-4 and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Oberman et al. (Patent No. 6,085,208).

9. Oberman taught the invention of claim 1 including a method for processing data in a processor with an instruction, wherein the data is related to an array of elements, the method comprising the steps of: loading a first value from a first location; comparing the first and second values to each other; and optionally storing a predetermined value in a destination based upon the comparing step (Figs. 4, 49A, 49B, 49C, and 50; col. 47, line 38 through col. 48, line 15). Note that a vector of data in this instance is a simple array.

10. As to claim 2, Oberman taught the first and second locations are source registers and the destination is a destination register (Fig. 49B). Note that mmreg1 is both a source and destination register.

11. As to claim 3, Oberman taught the first and second values are operands (Fig. 49A).

12. As to claim 4, Oberman taught the predetermined value being zero (Fig. 49B).

13. As to claim 7, Oberman taught setting a flag value in register mmreg1 indicating the results of the compare (Fig. 49B).

14. As to claim 8, Oberman taught the first and second values could be signed data (Fig. 49C).

15. Claims 1-3, 5, and 7-12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Tremblay et al. (Patent No. 6,014,723).

16. The examiner would suggest applicant read col. 25, line 34 through col. 27, line 28 and review Figs. 6A and 6C, at a minimum, before responding to the examiner's rejections.

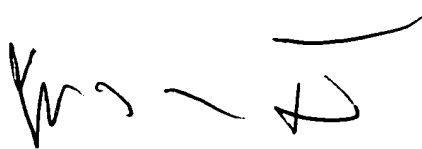
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17. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. Claims 16-23 are allowable over the prior art of record.

19. Any inquiry concerning this communication should be directed to William M. Treat at telephone number 703 305 9699. The examiner works at home on Wednesdays but may normally be reached on Wednesdays by leaving a voice message using his office phone number. The examiner also works a flexible schedule but may normally be reached in the afternoon and evening on three of the four remaining weekdays.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**WILLIAM M. TREAT
PRIMARY EXAMINER**